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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,872	07/28/2003	Toshiyuki Hosaka	9319S-000523	3841

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EXAMINER
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HSU, RYAN

ART UNIT	PAPER NUMBER
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3714

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/628,872

Applicant(s)

HOSAKA, TOSHIYUKI

Examiner

Ryan Hsu

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/21/05, 10/27/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The Information Disclosure Statement filed on 10/27/05 has been considered but the prior art cited seems to have no relevance to the current invention.

### ***Claim Objections***

Claims 16-23 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claims, or amend the claims to place the claims in proper dependent form, or rewrite the claims in independent form. Claims 16-20 are dependent upon independent claim 8, which is directed towards a display apparatus. Claims 16-20 are directed towards a game machine, which broadens the scope of the claim and includes various addition functions as opposed to simply a display apparatus. Claims 21-23 also suffer from the same deficiencies as they are directed towards an information display system, which broadens the scope by including a plurality of game apparatus and devices as the independent claims are directed towards only the display apparatus.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-21 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Dunn (US 6,089,975).**

Regarding claim 1, Dunn discloses a display method comprising: projecting a gaming image on an image display area defined in a game board of a game machine, in accordance with a gaming state (*see Fig. 1 and the related description thereof, col. 3: ln 1-32*); and projecting an information display image representing information other than information of a game on at least part of the image display area, if a predetermined condition has been satisfied (*see 'promotional advertising system' col. 4: ln 49-67*).

Regarding claim 8, Dunn discloses a display apparatus for a game machine comprising: a projection mechanism which projects a gaming image on an image display area defined in a game board of the game machine (*see display [14] of Fig. 1 and the related description thereof*); and a control unit which causes the projection mechanism to project the gaming image corresponding to a gaming state; wherein if a predetermined condition has been satisfied, the control unit causes the projection mechanism to project an information display image (*ie: advertising information*) representing information other than information of a game on at least part of the image display area (*see Fig. 1 and the related description thereof*).

Regarding claims 2 and 9, Dunn discloses an information display that displays an image comprising of advertising information (*see Fig. 1 and the related description thereof*).

Regarding claims 3 and 10, Dunn discloses a display method and apparatus for a game machine wherein when the predetermined condition has been satisfied, the information displaying image is projected on the whole image display area (*see display [14] of Fig. 1 and the related description thereof*).

Regarding claims 4 and 11, Dunn discloses a display method wherein if the predetermined condition ceases to be satisfied in a state where the information displaying image is being projected, the gaming image is projected on the image display area (*see display [14] of Fig. 1 and the related description thereof*).

Regarding claim 5, Dunn discloses a display method wherein when a player has come within a predetermined distance of the game machine, the gaming image is projected by deciding that the predetermined condition is not satisfied (*ie: the advertising information will not be presented if a player is playing the game*)( *see col. 4: ln 49-col. 5: ln 22*).

Regarding claim 6, Dunn discloses a display method wherein upon lapse of a predetermined time period since the game machine has shifted into a non-gaming state, the information displaying image is projected by deciding that the predetermined condition has been satisfied (*see col. 3: ln 1-32, col. 4: ln 49-col. 5: ln 22*).

Regarding claim 7, Dunn discloses a display method wherein a single information displaying image is displayed extending over all image display areas of a plurality of adjacent

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game machines satisfying the predetermined condition by dividing and projecting the single information display image on the respective image display areas of the adjacent game machines satisfying the predetermined condition (*see col. 4: ln 49-col. 5: ln 22*).

Regarding claim 12, Dunn discloses a display apparatus for a game machine which further comprises a storage unit which store therein image data concerning the information displaying image, wherein when the predetermined condition has been satisfied, the control unit generates displaying image data for causing the projection mechanism to display the information displaying image on the basis of the image data stored in the storage unit, so as to output the generated data to the projection mechanism and the projection mechanism projects the information displaying image, on the basis the displaying image, on the basis of the displaying image data output by the control unit (*see col. 3: ln 1-32*).

Regarding claim 13, Dunn discloses a display apparatus for a game machine wherein the predetermined condition has been satisfied, the control unit generates displaying image data for causing the projection mechanism to display the information displaying image, on the basis of image data output by an external device, so as to output the generated data to the projection mechanism, and the projection mechanism projects the information displaying image on the basis of the displaying image data output by the control unit (*see col. 4: ln 49-col. 5: ln 22*).

Regarding claim 14, Dunn discloses a display apparatus for a game machine wherein when the control unit has determined that a player has come within a predetermined distance of

the game machine, on the basis of a sensor signal output by a person sensor, the control unit causes the projection mechanism to project the gaming image, by deciding that the predetermined condition is not satisfied (*ie: condition is not satisfied when a player is not playing*)(*see col. 4: ln 49-col. 5: ln 22*).

Regarding claim 15, Dunn discloses a display apparatus for a game machine wherein upon lapse of a predetermined time period since a point of time when the control unit has determined that the game machine has shifted into a non-gaming state, on the basis of a gaming-state notifying signal output by a gaming-state detection unit for detecting a gaming state of the game machine (*ie: shift from gaming state to advertising state when a period of time has elapsed*), the control unit causes the projection mechanism to project the information displaying image, by deciding that the predetermined condition has been satisfied (*see Fig. 1 and the related description thereof, col. 3: ln 1-32*).

Regarding claim 16, Dunn discloses a display apparatus for a game machine and a main control unit which causes the display apparatus for a game machine to project the gaming image and the information displaying image (*see 'computer mode' [46] and 'ad interrupt mode [68] of Fig. 3 and the related description thereof*).

Regarding claim 17, Dunn discloses a display apparatus for a game machine wherein a control signal for displaying the information displaying image has been output by an external control device, the main control unit causes the display apparatus for a game machine to project

the information displaying image, by deciding that the predetermined condition has been satisfied (*ie: advertising state interrupts the game mode when an predetermined time has passed without any activity*)(see col. 3: ln 1-32) .

Regarding claim 18, Dunn discloses a person sensor which outputs a sensor signal permitting the control unit to determine whether a player has come within a predetermined distance of the game machine, wherein when the main control unit has determined that the player has come within the predetermined distance, on the basis of the sensor signal output by the person sensor, the main control causes the display apparatus for a game machine to project the gaming image, by deciding that the predetermined is not satisfied (*ie: gaming state selected when player is playing; information/advertising state occurs when an elapse period of time or a person is not playing*)(see col. 3: ln 1-32, col. 5: ln 25-67).

Regarding claim 19, Dunn discloses a display apparatus for a game machine including a gaming state detection unit which detects a gaming state of the gaming machine so as to output a gaming-state notifying signal (*ie: advertising state via gaming state*), wherein upon lapse of a predetermined time period since a point of time when the main control unit has determined that the game machine has shifted into a non-gaming state, on the basis of the gaming-state notifying signal output by the gaming-state detection unit, the main control unit causes the display apparatus for a game machine to project the information displaying image, by deciding that the predetermined condition has been satisfied (*ie: predetermined condition wherein a time period has lapse of a person playing the game*) (see col. 2: ln 49-col. 3: ln 32).



Regarding claim 20, Dunn discloses a game machine comprising the display apparatus (*see Fig 1 and the related description thereof*).

Regarding claim 21, Dunn discloses an display device comprising a plurality of game machines each of which includes the display apparatus for a game machine and a control device being the external device (*ie: central computer system, col. 2: ln 35-45, col. 3: ln 1-32*), which includes a storage unit for storing therein the image data concerning the information displaying images to be displayed on the individual game machines and which outputs the image data to the display apparatus for each game machine (*see col. 4: ln 49-col. 5: ln 24*).

Regarding claim 23, Dunn discloses a display device wherein the control device outputs the image data acquired through a communication network, to the display apparatuses for gaming machines, for the respective game machines (*see col. 2: ln 35-45*).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dunn (US 6,089,975).**

Regarding claim 22, Dunn teaches a display device wherein a single information displaying image is displayed extending over all image displays areas of a game machines that satisfy the predetermined condition, the control device outputs the image data for projecting divided images obtained by dividing and projecting the single information displaying image to the display apparatuses for the respective game machines. However, Dunn is silent with regard to displaying the information image across a plurality of adjacent game machine display devices. Dunn however does point to the adaptability of the game machine displays. Dunn teaches that by controlling the game machines through the central master controller it is possible to adapt the screens to display different effects and work interactively together (*see col. 3: ln 15-32, Fig. 1 and the related description thereof*). Dunn teaches that one would be motivated to incorporate this type of device in order to update the system more easily while allow more flexibility in the system. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to recognize the adaptability of the screens of Dunn to allow advertising to utilize the plurality of screens connected to the system mentioned by Dunn.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Lemay et al. (US 6,942,574 B1) – Method and Apparatus for Providing Entertainment Content on a Gaming Machine.**

**Glazman et al. (US 6,264,555 B1)** - Amusement Game Including Video Displays Not Related to the Game.

**Spaur et al. (US 6,625,578 B2)** – On-Line Game Playing with Advertising.

Any inquiry concerning this communication or earlier communication from the examiner should be direct to Ryan Hsu whose telephone number is (571)-272-7148. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Jones can be reached at (571)-272-4438.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 1-866-217-9197 (toll-free).



RH

April 3, 2006



JOHN M. HOTALING, II  
PRIMARY EXAMINER